

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

IN RE:	)	
	)	Case No. 21-10278(JEB)
CRIMSONBIKES, LLC	)	
	)	Chapter 11
Debtor	)	

**AMENDED APPLICATION OF DEBTOR FOR EMPLOYMENT OF McCafferty & Company, P.C. AS ACCOUNTANTS**

The Debtor, CrimsonBikes, LLC in this Chapter 11 case (the “Debtor”) hereby requests, pursuant to 11 U.S.C. § 327, Fed. R. Bankr. P. Rule 2014 and MLRB 2014-1, that this Court enter an order approving employment of McCafferty & Company, P.C. (“McCafferty”) as Debtor’s accountant, effective as of June 7, 2021. In support of this Application, the Debtor states the following:

**Jurisdiction**

1. This Court has jurisdiction to consider and determine this application pursuant to 28 U.S.C. § 1334. This is a core proceeding within the meaning of 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicates for the relief requested herein are Section 327(a) of the United States Bankruptcy Code, 11 U.S.C. § 101 *et seq.* (the “Code”), Rule 2014 and 2016 of the Federal Rules of Bankruptcy Procedure and MLBR 2014-1(e).

**Background**

2. On March 3, 2021, three creditors, SmartEtailing, Inc., CVI-TCB Commercial, LLC, and Michael Jaegar (“Petitioning Creditors”) filed an involuntary chapter 7 bankruptcy petition against the Debtor. On May 19, 2021, CrimsonBikes consented to the entry of an order for relief and moved the Court to convert its case to one under Chapter 11 of the United States Bankruptcy Code (“Motion to Convert”). On May 20, 2021, the Court entered the Order for Relief and on May 21, 2021 allowed the Motion to Convert.
3. The Debtor is an online and retail bike seller in Cambridge, Massachusetts. The corporation has been in continuous operations since its founding in 2008.

**Relief Requested**

4. The Debtor applies for authority to employ McCafferty as its accountant under Section 327 of the Code for purposes of representing the estate with respect to the Debtor’s tax matters as well as completion of Debtor’s corporate financial reports. McCafferty will also assist in the initial financial analysis and budgets as well as the initial monthly operating reports. McCafferty will assist the Debtor in preparing and filing all outstanding tax returns.
5. Edward McCafferty is a Certified Public Accountant with over 25 years of experience in public accounting, including a senior position with a large account firm and management of a small firm eventually leading to ownership of the firm.

McCafferty is well qualified to represent the Debtor with respect to accounting services.

*A. McCafferty Does Not Have an Interest Adverse to the Debtor or the Estate with Respect to Any Matter on Which McCafferty is to Be Employed*

6. To the best of the Debtor's knowledge, McCafferty does not have any connection with or any interest adverse to the Debtor, its creditors, any other party in interest, the Debtor's attorneys, the United States Trustee or any person employed in the office of the United States Trustee, except as set forth below or in the *Affidavit of Edward McCafferty, in Support of the Application of Debtor and Debtor-in-Possession for Authority to Retain McCafferty & Company, P.C.*, (the "McCafferty Affidavit"), filed in connection with this Application. Accordingly, McCafferty does not hold nor represent any interest adverse to the Debtor's estate on any matter on which McCafferty is to be employed.
7. As set forth in greater detail in the Affidavit of Edward McCafferty, McCafferty's involvement with the Debtor, creditors, or other interested parties to the Debtor include the following: none
8. The Debtor seeks this Court's authority to retain McCafferty as accountant under Section 327 of the Code.

*B. Arrangement for Compensation and Reimbursement of McCafferty*

9. The Debtor seeks to employ McCafferty at their standard fees. McCafferty charges \$285.00 to \$300.00 per hour. Bookkeeping and data compilation is charged at an hourly rate of \$75.00. These rates may change from time to time in accordance with McCafferty established billing practices and procedures. The Debtor also proposes to reimburse McCafferty for its actual and necessary expenses.
10. McCafferty understands that they must apply to the Court for compensation for professional services rendered and reimbursement of expenses incurred in connection with their role as Debtor's accountant in accordance with the applicable provisions of the United States Bankruptcy Code, Bankruptcy Rules, Local Rules and any applicable orders of the Court.
11. The Debtor has provided notice of this Application by serving a copy of it upon the United States Trustee, Debtor's secured parties, all parties that have filed a notice of appearance and request for service of papers in this case, and Debtor's 20 largest unsecured creditors, a creditor's committee having not been appointed. The Debtor requests that this Court find such notice of this Application be good and sufficient in the circumstances.
12. In support of this Application, Edward McCafferty, has submitted an affidavit pursuant to Rule 2014(a) of the Federal Rules of Bankruptcy Procedure and MLBR 2014-1.

WHEREFORE, the Debtor respectfully requests this Honorable Court:

1. Enter an Order authorizing the Debtor to retain McCafferty as accountant to the Debtor for the purposes set forth herein, effective as of June 7, 2021; and
2. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,  
CrimsonBikes, LLC  
By its Attorney,

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Dated: June 14, 2021